

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 21-42 are allowed.

The following is an examiner's statement of reasons for allowance:

In view of applicant's arguments, filed 1/30/08 and based on applicant's disclosure and the article by Kitzman et al, the examiner agrees diastolic heart failure is not the same as congestive heart failure.

Detecting diastolic heart failure using:

a workload detector or determining a current workload, and measuring a magnitude of a pulse pressure in vivo, or a pulse pressure measuring unit to measure a signal indicative of the magnitude pulse pressure and comparing, or using a comparator to compare, the pulse pressure with a reference value that is associated with the workload to indicate a diastolic heart failure state as claimed is not shown nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (571) 272-4952.

Application/Control Number: 10/562,109  
Art Unit: 3762

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